

FACTS

9. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

10. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

11. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

12. Denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

17. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

18. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

19. Denied.

20. Denied.

21. Denied. These allegations are a complete mischaracterization of the events and therefore said allegations are denied.

22. Denied.

23. Denied.

24. Denied.

25. The answering parties lack sufficient information to admit or deny these allegations, therefore these allegations are denied

26. Denied.

27. Denied.

28. Denied.

CAUSES OF ACTION

COUNT I

**PLAINTIFFS v. THOMAS LICIADELLO, PERRY BETTS, MICHAEL SPICER,
JOHN SPEISER AND BRIAN REYNOLDS
42 U.S.C. § 1983**

29. The answering parties hereby incorporate by reference their answers to paragraphs 1-28 as though fully set forth at length.

30. Denied.

COUNT II

**PLAINTIFFS v. THOMAS LICIADELLO, PERRY BETTS, MICHAEL SPICER,
JOHN SPEISER AND BRIAN REYNOLDS
42 U.S.C. § 1983**

31. The answering parties hereby incorporate by reference their answers to paragraphs 1-30 as though fully set forth at length.

32-34. Denied.

COUNT III

42 U.S.C. § 1983 (excessive force)

35. The answering parties hereby incorporate by reference their answers to paragraphs 1-34 as though fully set forth at length.

36-38. Denied.

**COUNT IV
PLAINTIFFS v. CITY OF PHILADELPHIA
42 U.S.C. § 1983**

39. The answering parties hereby incorporate by reference their answers to paragraphs 1-38 as though fully set forth at length.

40-47. Denied.

JURY DEMAND

48. The answering parties request a jury.

PRAYER FOR RELIEF

The answering parties request that judgment be entered in their favor and against the plaintiffs with prejudice.

AFFIRMATIVE DEFENSES

1. The Plaintiffs' federal claims and state law claims, in whole or in part, fail to state a claim upon which relief can be granted.
2. The Plaintiffs' state law claims are barred or limited by Pennsylvania's Political Subdivision Tort Claims Act, 42 Pa.C.S.A. § 8451 *et seq.*
3. Plaintiffs' claims against the Defendant Police Officers are barred by the doctrine of qualified immunity.
4. The actions of the answering parties were justified under both State and Federal law.
5. Plaintiffs' malicious prosecution claim is barred by the doctrine of factual guilt.
6. Some of plaintiffs' claims may be barred by the applicable statute of limitations.

Dated: December 20, 2013

/s/ Jeffrey M. Scott
Jeffrey M. Scott, Esquire
ARCHER & GREINER, P.C.
One Liberty Place
Thirty-Second Floor
1650 Market Street
Philadelphia, Pennsylvania 19103-7393
(215) 963-3300
Attorney for Thomas Liciardello, Perry Betts,
Michael Spicer, John Speiser and Brian
Reynolds

CERTIFICATE OF SERVICE

It is hereby certified that Defendants Thomas Liciardello, Perry Betts, Michael Spicer, John Speiser and Brian Reynolds' Answer to Plaintiff's Complaint with Affirmative Defenses was electronically filed and is available for viewing on the Court's ECF System.

GERALD J. WILLIAMS
WILLIAMS CUKER & BEREZOFSKY
1515 MARKET ST STE 1300
PHILADELPHIA, PA 19102
215-557-0099
Email: rpatience@wcblegal.com

ARMANDO BRIGANDI
CITY OF PHILADELPHIA LAW DEPT
1515 ARCH ST., 14TH FL
PHILADELPHIA, PA 19102

Dated: December 20, 2013

/s/ Jeffrey M. Scott, Esquire
Jeffrey M. Scott, Esquire
ARCHER & GREINER, P.C.